

REMARKS

The above-identified application is United States application serial number 10/759,856 filed on January 15, 2004. Claims 1-21 are pending in the application. Claims 1-21 are rejected.

Rejection of Claims under 35 U.S.C. §103

Claims 1-6, 8-13, 15-18, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elko et al (US 4,894,749) in view of Orr (US 6,758,353). Claims 7, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elko et al. in view of Orr and further in view of Feightner et al. (US 5,214,567).

Applicants have amended the claims. The amended Claims 1-14 and 20-21 are allowable at least because Elko in view of Orr do not disclose "a rack cabinet configured to accept a plurality of stacked standard electronic equipment devices housed within standard rack mount cases" or "a body . . . that emulates dimensions of a standard rack mount case housing a standard electronic equipment device." Elko does not disclose electronic devices housed within rack mount cases but rather teaches "circuit packages, commonly referred to as circuit boards 14" (Col. 2, lines 51-52) that are in the form of a rigid planar board with mounted integrated circuit chips as shown in Figures 1, 2, and 5. Similarly, Elko does not show a body that emulates dimensions of a rack mount case but rather teaches "filler boards 15 [that physically] resemble actual circuit boards 14 in size and shape" (Col. 3, lines 26-28) as shown in Figures 3 and 4 wherein the board "comprises a plate or card 30 of rigid material that is sized and shaped along its periphery just like a circuit board 14 [with a] plate 30 [that] is "L"-shaped, with the wide edge 32 thereof being sized and shaped to completely close off option slot access hole 20 in the wall or cabinet." Accordingly, the circuit boards and filler boards do not have the form of a rack mount case as claimed but rather are configured as an L-shaped plate.

No new matter is added by the inclusion in the claims of the concept of a "rack mount case" which is described in the original application in paragraphs [0001] and [0002] well-known to those of ordinary skill in the art.

Claims 1-14 and 20-21 further distinguish over the references because Elko in view of Orr do not teach the "body . . . that . . . has a thickness selected so that clearance between the slot filler and an adjacent rack mount case and/or slot filler leaves an air flow gap from the air inlet to exit that is sufficiently small to create an air flow resistance that prevents air from re-circling toward the air inlet." Elko discloses none of the concepts claimed by the applicants such as selection of a body thickness to create an air flow resistance or prevention of air re-circulation. Elko is completely devoid of any discussion of selection of body thickness to adjust air flow resistance but rather describes the filler as being "sized and shaped" like a "circuit board". Similarly, Elko has no discussion of configuring the circuit to prevent air re-circulation. Depending on the particular configuration of fans and circuit boards, the structures shown in Elko may not suitably result in an airflow resistance that prevents air-recirculation since warmed air may re-circulate in the gaps over and between integrated circuits.

Claims 2 and 9 further distinguish over Elko in view of Orr because the references disclose neither "standard electronic equipment devices and standard rack mount cases [that] are standard nU devices and cases where n is a multiple of U units of size 1 or greater" nor "rack mount cases [that] have planar exterior surfaces abutting the airflow gaps." Orr discloses EIA standard cover panels but not usage of slot fillers that emulate EIA rack mount cases with sizes selected to prevent airflow re-circulation. Neither Elko nor Orr discloses rack mount cases with planar exterior surfaces contacting the gaps.

Claims 5 and 12 further distinguish over Elko in view of Orr because the references do not disclose "the body shape [that] is approximately a rectangular polyhedron." The body shape depicted in Elko is not a rectangular polyhedron but rather is an L-shaped plate with a wide edge (Col. 3, lines 62-64).

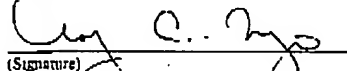
Claims 5, 6, 12, or 13 further distinguish over Elko in view of Orr because the references do not disclose "surfaces of the rack mount case and slot filler body adjacent the air flow gap [that] are planar." The surfaces depicted in Elko are not planar but rather are plates with uneven surfaces formed by integrated circuit chips for the circuit board and absorbent material sheets 33 for the filler boards.

Claims 15-19 distinguish over Elko in view of Orr which fail to disclose actions of "inserting . . . electronic devices contained within rack mount cases into a housing" and "arranging the plurality of stacked rack mount cases . . . and slot fillers with a selected clearance between adjacent housing-contained electronic devices and/or slot fillers leaving an air flow gap from the air inlet to exit that is sufficiently small to create an air flow resistance that prevents air from re-circling toward the air inlet."

CONCLUSION

The application, including remaining Claims 1-21, are believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (949) 251-0250.

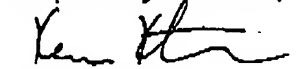
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:


(Signature)

Ken J. Koestner
(Printed Name of Person Signing Certificate)

March 3, 2006
(Date)

Respectfully submitted,


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